

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

TERRY LAMAR LYGHTS,
Petitioner,
vs.

STATE OF WASHINGTON
DEPARTMENT OF CORRECTIONS,
Respondent.

NO. CV-10-405-JPH

**ORDER ADOPTING REPORT AND
RECOMMENDATION AND DISMISSING
PETITION**

Magistrate Judge Hutton filed a Report and Recommendation on March 3, 2011, recommending Terry Lamar Lyghts' action be dismissed without prejudice. There being no objections, the Court **ADOPTS** the Report and Recommendation (ECF No. 5). The Petition is **DISMISSED WITHOUT PREJUDICE**.

IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment, forward a copy to Petitioner, and close the file. The Court further certifies an appeal from this decision will not be taken in good faith, and there is no basis upon which to issue a certificate of appealability. 28 U.S.C. § 2253(c); Fed. R. App. P. 22(b).

DATED this 28th day of March 2011.

S/ Edward F. Shea
EDWARD F. SHEA
United States District Judge

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